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Before the
Federal Communications Commission
Washington, D.C. 20554

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Federal Communications Commission
Office of Secretary

In the Matter of)
)
Implementation of the Non-Accounting) CC Docket No. 96-149
Safeguards of Sections 271 and 272 of the)
Communications Act of 1934, as amended;)
)
and)
)
Regulatory Treatment of LEC Provision)
of Interexchange Services Originating in the)
LEC's Local Exchange Area)

COMMENTS OF OMNIPOINT COMMUNICATIONS INC.

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April 17, 1997

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COMMENTS OF OMNIPOINT COMMUNICATIONS INC.

Introduction and Summary

Omnipoint Communications Inc. ("Omnipoint")¹ hereby responds to the Commission's April 3 Request² for comments concerning the policy and statutory issues surrounding RBOC provision of interLATA services and facilities to competitive local carriers.

In reconsidering its decision in the Non-Accounting Safeguards Order,³ the Commission must address the interplay between Section 271(a),⁴ which broadly restricts RBOC provision of

¹ Omnipoint Communications Inc. currently offers PCS service on Block A in the New York MTA (KNLF202). Omnipoint affiliates hold broadband PCS licenses, or have pending broadband PCS license applications, to serve markets throughout the United States, covering a population of approximately 96.5 million.

² "Comments Requested in Connection with Expedited Reconsideration of Interpretation of Section 272(e)(4)," Public Notice, CC Dkt. No. 96-149, DA 97-666 (rel. Apr. 3, 1997) ("Request").

³ Implementation of the Non-Accounting Safeguards of Sections 271 and 272 of the Communications Act of 1934, as amended, First Report and Order and Notice of Proposed Rule

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"interLATA services," and Section 272(e)(4),⁵ which arguably permits RBOCs to offer "interLATA facilities or services" to its Section 272 affiliate and to "all carriers" on a nondiscriminatory basis.⁶

Omnipoint respectfully submits that the Commission should reconsider its conclusion (at ¶¶ 263-66 of the Non-Accounting Safeguards Order) that an RBOC providing interLATA transport to competing local carriers is offering a "telecommunications service."⁷ In Omnipoint's view, when an RBOC leases private line T1 and T3 circuits⁸ to a competing carrier such as a PCS operator, whose network overlaps the RBOC's LATA boundaries, the RBOC is not engaged in the provision of "telecommunications . . . directly to the public, or to such classes of users as to be effectively available to the public" 47 U.S.C. § 153(46). Rather, it is engaged in the

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Making, CC Dkt. No. 96-149, FCC 96-489, ¶¶ 261-267 (rel. Dec. 24, 1996) ("Non-Accounting Safeguards Order").

4 47 U.S.C. § 271(a).

5 *Id.* at § 272(e)(4).

6 Specifically, Omnipoint's comments address whether (i) RBOCs may offer carrier-to-carrier interLATA services pursuant to Section 272(e)(4) and (ii) the policy concerns underpinning the Section 272 separate affiliate requirement "differ depending on whether the wholesale [interLATA] service being offered is a bundled and end-to-end interLATA service or a [sic] interLATA service that merely transmits traffic from a point of presence in one LATA to a point of presence in another LATA, both issues raised by the Request." The Request also notes that "[p]arties should feel free to address any of the other issues previously addressed before the Commission . . . that are relevant to this inquiry," while the initial order apparently holds that the provision of RBOC-to-carrier interLATA facilities "would contravene the requirement of section 271" approval. Non-Accounting Safeguards Order at ¶ 262.

7 The Commission's decision would also affect interLATA private line service that terminates in an RBOC's region. 47 U.S.C. § 271(j).

8 A T1 circuit has capacity of 1.5 million bps, and carries up to 24 voice-grade channels; a T3 circuit transmits a DS-3 digital signal at 44.736 million bps and above.

provision of interLATA facilities, which improves local competition, and which is not a telecommunications offering available to or even feasible for the general public. Access to T1/T3 circuits and DACS facilities⁹ form the backbone of a local wireless carrier's ability to transport traffic among its mobile switching centers and its transmit/receive base stations. Efficient and affordable access to these facilities is essential to a wireless carrier's ability to compete against the incumbent LEC and other competitive local service providers. Provision of relatively short-haul private line interLATA T1, T3, and DACS facilities by the RBOCs to facilities-based local competitors whose systems are not confined to LATA boundaries would promote efficient interconnection among carriers, would further competition and cost-based pricing of services to the public, and would expedite wireless service to Americans living in rural areas.

Discussion

I. RBOC Provision of High-Capacity Private Lines Across LATA Boundaries Would Greatly Improve The Network Efficiency of Competing Carriers.

Omnipoint's experience in planning and deploying PCS networks in several U.S. markets is instructive of the challenges that will be faced by the many new and independent entrants attempting to introduce competitive local services. Among the chief obstacles is the ability to route traffic between the network points directly serving the customer's equipment (*e.g.*, the PCS operator's base stations) and the carrier's switch center(s). The efficiency of transport arrangements that a new entrant can procure in a given service area is very often a prioritizing factor in determining when to introduce service in that area, or whether service in a given area is feasible at all.

⁹ Digital Access Cross-Connect System ("DACS") is a software-defined multiplexer that converts T1 and T3 lines, which greatly reduces a competing telecommunications provider's cost of leased private lines.

In Omnipoint's view, the current market for high-capacity transport, typically purchased through T1 and T3 lines as well as DACS facilities, is not adequate to support the scale of local wireline and wireless competition that is envisioned by the 1996 Telecommunications Act or the Communications Act amendments of 1993 for competing CMRS networks. See 47 U.S.C. § 332. While both RBOCs and the interexchange industry provide some high-capacity private line transport, the market inadequately serves existing new entrants and it will certainly hamper further new entrance.

Three examples from Omnipoint's own build-out demonstrate the extent of the inefficiency:

Rockland Co., NY: Omnipoint provides PCS service to Rockland County, NY with cell sites approximately two miles north of the New Jersey border. Omnipoint's nearest switch center to serve that community is 18 miles southwest of the cell sites in Wayne, NJ. However, due to the current inefficiencies of the transport market, Omnipoint's base stations in Rockland County send and receive traffic and signaling via the following circuitous route: NYNEX takes the traffic 16 miles east of the cell sites (via special access) and across the Hudson River to Westchester, NY and then 14 miles south to Manhattan, NY; in Manhattan, the traffic is cross-connected to MFS, which takes the traffic for 20 miles and back across the Hudson River to Omnipoint's Wayne, NJ switch (using Bell Atlantic lines for a portion of the termination).

Since Rockland County and Wayne are on the same side of the Hudson River, one might ask why all the Rockland County traffic takes two trips across the river? Or, why does the traffic travel in such a wide and circular route of 50 miles when the line-of-sight distance is only 18 miles? Or, why does Omnipoint have to pay for three carriers (and each carrier's mark-up) for short-haul transport from Rockland County to Wayne?

Amarillo, TX: Omnipoint is the Block C PCS licensee for the Amarillo, TX BTA, which covers many rural areas in Texas and New Mexico. Omnipoint is building a switch center in Amarillo and, due to the low population density, it is not economically feasible to introduce a

second switch center in that region. Several New Mexico counties located in Omnipoint's service area do not have any IXC POPs with T1 or T3 circuits. Therefore, to serve rural New Mexico, the following route is Omnipoint's only transport option: From the Amarillo switch, connect with Southwestern Bell. SWB then takes the traffic to its office in a major Texas city where it routes the traffic to an IXC. The IXC then carries the traffic to an office of US West in Santa Fe, NM. US West then transports the traffic to an independent LEC serving the rural New Mexico communities covered by Omnipoint's base stations.

The inefficiency of this situation is also plain, with no less than four carriers and miles of excess transport costs.

Atlantic City, NJ: Omnipoint's switch in Philadelphia, PA is the nearest feasible switch center for the traffic generated by Omnipoint's future customers in the Atlantic City, NJ market. Because there are two LATAs (the Camden, NJ LATA and the Atlantic City, NJ LATA) separating the Omnipoint base station from the switch, Omnipoint is forced to use IXC transport instead of an end-to-end transport from Bell Atlantic. Because there are few IXCs offering such service, Omnipoint is forced to pay more than it would otherwise have to if Bell Atlantic could provide a competing transport offering.

In the Rockland County, Amarillo, and Atlantic City examples, the root cause of the problem is the inability of the RBOC to provide Omnipoint with in-region interLATA backhaul transport. This perverse consequence of the interLATA restriction, and the Commission's decision at ¶¶ 263-66 of the Non-Accounting Safeguards Order, is actually impeding Omnipoint's ability to compete in local markets, and seriously threatening the ability of competing facilities-based carriers to offer service in rural areas. It is a classic regulatory barrier

that prevents a more efficient network configuration, but serves no significant policy interest.¹⁰ Without the interLATA restriction on private line backhaul, RBOCs would be able to offer competing carriers much more efficient network transport solutions.

Moreover, the Commission's interpretation of the terms "telecommunications service" and "interLATA service" introduces inefficient regulatory anomalies for MTA and BTA licensed wireless carriers, as well as competitive LECs, by encouraging network deployment along LATA boundaries. Without efficient interLATA backhaul services, competing carriers are encouraged to build intra-LATA systems, even though MTA or regional networks are otherwise more efficient. In fact, the large MTA and BTA geographic service areas were deliberately chosen by the Commission "to promote the rapid deployment and ubiquitous coverage . . . follow[ing] the natural flow of commerce,"¹¹ to "spur competition,"¹² to "facilitate regional and nationwide roaming; [and to] allow licensees to tailor their systems to the natural geographic dimensions of PCS markets."¹³ The Commission specifically rejected geographic license areas based on LATA boundaries. Second Report and Order at 7730. Not a single MTA in the contiguous U.S. lies entirely within one LATA boundary. This deliberate plan for rapid wireless local competition, however, is threatened by decisions such as those made in the Non-Accounting Safeguards Order which make it more difficult to achieve regional network efficiency.¹⁴

¹⁰ Cf., 47 U.S.C. § 151 (Commission is to promote "a rapid, efficient, Nation-wide . . . radio communications service with adequate facilities at reasonable charges . . .").

¹¹ Memorandum Opinion and Order, GN Dkt. No. 90-314, 9 FCC Rcd. 4957, 4986 (1994).

¹² *Id.* at 4987-88.

¹³ Second Report and Order, GN Dkt. No. 90-314, 8 FCC Rcd. 7700, 7732 (1993) ("Second Report and Order").

¹⁴ See also Fifth Report and Order, PP Dkt. No. 93-253, 9 FCC Rcd. 5532, ¶31 (1994) ("[T]he values of most broadband PCS licenses will be significantly interdependent because of

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II. RBOC-to-Independent Carrier Arrangements for T1 and T3 Circuits and DACS Facilities Are Not Subject to Section 271/272 Restrictions

In the Non-Accounting Safeguards Order (at ¶¶ 263-66), the Commission broadly interpreted the statutory term "telecommunications service" and, thereby, the scope of Sections 271 and 272, to include all RBOC-to-carrier transport arrangements, except for traditional private carriage. The Commission essentially supported this broad holding on the basis that it could find no evidence in the 1996 Telecommunications Act to redefine the significance of the traditional common carrier/private carrier dichotomy in the context of RBOC-to-carrier transport arrangements. *Id.* at ¶ 265.¹⁵ Instead, the Commission appears to have mistakenly relied on legislative history of the House provision describing "telecommunications services," while the Senate version was adopted in the final legislation.¹⁶ Omnipoint believes that this interpretation was overly broad¹⁷ and, with respect to RBOC-to-carrier private line arrangements, undermines the express language and pro-competitive intent of the 1996 Telecommunications Act.

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the desirability of aggregation across . . . geographic regions."); Memorandum Opinion and Order, 9 FCC Rcd. at 4987-88 ("The ten year history of the cellular industry provides evidence generally that . . . [MSA and RSA] service areas have been too small for the efficient provision of regional or nationwide mobile service.").

¹⁵ The Commission also explained that it could find no distinction between wholesale and retail services intended by the term "interLATA service." Quite frankly, Omnipoint finds that such a distinction is not pertinent to the issues decided in ¶¶ 261-65 of the Order.

¹⁶ At ¶ 265 of the Order, the Commission quoted to the Conference Committee summary of the House amendment of the term "telecommunications service," and mistakenly attributed that statement to the legislative history of the final bill as adopted by the Conference Committee. In fact, the Conference Committee ultimately rejected the House version, and adopted the Senate version, of "telecommunications service." Joint Explanatory Statement, S. Rep. No. 458, 104th Cong., 2d Sess. at 116 ("Joint Explanatory Statement"). Therefore, the Commission's reliance on the House legislative history is misplaced, at best.

¹⁷ Before the D.C. Circuit, the Commission acknowledged that it may not have fully considered all facets of the arguments presented in the rule making. "Motion of Federal

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In Omnipoint's view, the "interLATA service" restriction does not properly apply to the provision or termination of high-capacity private lines used for back-haul by competing carriers. Sections 271 and 272 of the Communications Act restrict RBOCs from offering in-region "interLATA services."¹⁸ Consistent with the statutory definition,¹⁹ the Commission has interpreted "interLATA services" to include, in relevant part, interLATA telecommunications service.²⁰ A "telecommunications service," in turn, is an offering of "a transmission, between or among points specified by the user, of information of the user's choosing . . ." that is made " . . . for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used." *Id.* at § 151(43) and (46). By the very statutory language employed, it appears implausible that an arrangement for high-capacity backhaul between an RBOC and, at most, a few competing telecommunications carriers for interLATA private line services could possibly be construed as available "directly to the public, or to such classes of users as to be effectively available directly to the public." *Id.*²¹

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Communications Commission for Remand to Consider Issues," Bell Atlantic v. FCC, Case No. 97-1067 (D.C. Cir., filed Feb. 25, 1997).

¹⁸ See 47 U.S.C. § 271(a) (RBOC may provide interLATA services only if it meets requirements of Section 271); § 271(j) (interLATA private line service that terminates in-region and that allows the "called party" to determine the interLATA carrier is subject to in-region interLATA services restriction); § 272(a)(1)&(2)(B) (RBOC may provide "originating interLATA telecommunications services" only through separate affiliate).

¹⁹ *Id.* at § 153(21).

²⁰ Non-Accounting Safeguards Order at ¶ 55. The Commission has also found that "interLATA service" includes interLATA information service. *Id.*

²¹ Consistent with Omnipoint's view, we note that Section 271(j) subjects the termination of private line service across LATA boundaries to the "in-region" interLATA restriction only if "the caller" chooses the "interLATA carrier." Omnipoint's customers, as the "caller," do not select an interLATA carrier for Omnipoint's own backhaul. Therefore, it is clear that the

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The Commission must more carefully consider whether the 1996 Telecommunications Act was intended to restrict RBOC-to-carrier private line arrangements for backhaul. While the Commission broadly found no evidence in the 1996 Act for a "wholesale/retail" interLATA facilities and interLATA telecommunications distinction,²² there is ample evidence in the 1996 Act of a distinction between provision of telecommunications service to the public and the provision or termination of private lines to competing carriers. Section 259, for example, makes the "telecommunications facilities and functions" of the RBOCs and incumbent LECs available to qualified carriers for backhaul purposes, while providing that those offerings "will not be treated by the Commission or any State as a common carrier for hire or as offering common carrier services with respect to any infrastructure, . . . [or] facilities made available to the qualifying carrier . . ."²³ Similarly, Section 272 distinguishes between the provision of interLATA facilities and interLATA services to the public. Section 272(c)(1) states that the RBOC must not discriminate between its separate affiliate and any "other entity in the provision . . . of goods, services, [and] facilities." Because the term "facilities" is not superfluous or wholly incorporated in the preceding term "services," Congress must have intended that there be facilities-based arrangements with other "entities." Consistent with Omnipoint's position here, the Commission has interpreted the term "other entity" to include "all competitors" of the

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statutory restriction was not intended to apply in such cases. *See also* Bell Operating Company Provision of Out-of-Region Interstate, Interexchange Services, Report and Order, CC Dkt. No. 96-21, FCC 96-288 at ¶ 47 (rel. July 1, 1996) ("key factor in determining whether a service falls within the scope of section 271(j) . . . is whether the called party determines the interLATA carrier . . .").

²² Non-Accounting Safeguards Order, at ¶ 265.

²³ 47 U.S.C. § 259(b)(3).

RBOC.²⁴ Section 272(e)(4) contemplates that the RBOC can offer "interLATA . . . facilities . . . [to] . . . all carriers."²⁵ Thus, under the 1996 Telecommunications Act, an arrangement between the RBOC and a competing carrier that is primarily facility-based, that does not involve exchange services or exchange access services, and that does not contemplate service or resale of service "directly to the public" is to be regulated differently from RBOC switched services.

This interpretation of the interLATA restriction is also more consistent with the historical intent of the MFJ "interLATA services" restriction, as demonstrated by the MFJ Court's treatment of BOC interLATA "Official Services" networks.²⁶ The "Official Services" networks, as defined by the Court, are exactly the type of private line services Omnipoint now seeks from the RBOC, namely, an "operational support system network . . . of dedicated voice and data private lines used by the [o]perating [c]ompany to monitor and control trunks and switches,"²⁷ and . . . "Service Circuits comprise[d of] a network of largely dedicated voice lines used to receive repair calls and directory assistance calls from Operating Company customers."²⁸ The

²⁴ Non-Accounting Safeguards Order at ¶ 219.

²⁵ 47 U.S.C. § 272(e)(4). While this provision safeguards the nondiscriminatory access of competing carriers to facilities provided by an RBOC to its affiliate, it also contemplates ownership of those facilities by the RBOC. Moreover, prior to Section 271 approval, Section 272(e)(4) would seemingly permit an RBOC to offer those facilities to independent competing carriers.

²⁶ United States v. Western Elec. Co., 569 F. Supp. 1057, 1097-1101 (D.D.C. 1983) (subsequent history omitted).

²⁷ *Id.* at n.179. The Court noted that "[t]hese communications links are vital to proper operation of the network since, for example, they enable Operating Company personnel to measure the maintenance status of trunks and switches and instantly control equipment and reroute traffic." *Id.* With mobile customers moving from one base station coverage area to the next, this functionality is especially critical for Omnipoint.

²⁸ *Id.*

Court rejected the strict constructionism of the Justice Department that these are "interLATA telecommunications services" restricted by the terms of the consent decree. The Court found that restricting such services, "whether they be intra-LATA or inter-LATA in character," would produce a result that "is both unwise and unnecessary."²⁹ The Court rejected application of the interLATA restriction to such private line arrangements because it would force the RBOC into one of two "undesirable" situations, either (a) redesigning their networks to conform to LATA boundaries, which would "result in a loss of operational and cost efficiencies produced by the centralization," or (b) hiring less efficient IXC network alternatives.³⁰ Because of the Commission's interpretation of "interLATA services," the same "undesirable" options rejected by the Court are the only ones available to Omnipoint today.

Moreover, it is fundamentally incompatible with the 1996 Telecommunications Act that RBOCs should be able to maintain the network efficiencies of interLATA internal network and backhaul,³¹ but competing new entrant local providers are denied the opportunity for those same efficiencies by the Commission's action in the Non-Accounting Safeguards Order. Insofar as it precludes competing telecommunications carriers from obtaining unbundled access to such RBOC interLATA network elements pursuant to Section 251(c)(3),³² the Commission's decision seems fundamentally at odds with both the plain language of Sections 251 and 252, and the

²⁹ *Id.* at 1098-99.

³⁰ *Id.* at 1099.

³¹ The 1996 Telecommunications Act permits RBOCs to maintain and use "Official Services" networks, regardless of the "interLATA services" restriction. 47 U.S.C. § 271(f). The Commission's order, however, effectively prevents competing carriers from access to those network elements until potentially years later, after the RBOC has received Section 271 approval and complied with Section 272. Non-Accounting Safeguards Order at ¶ 266.

³² 47 U.S.C. § 251(c)(3).

overriding intent of those statutory provisions, "to open the [RBOC] networks to competition."³³ In fact, the 1996 Congress "recognize[d] that it is unlikely that competitors will have a fully redundant network in place when they initially offer service. . . . Some facilities and capabilities . . . will likely need to be obtained from the incumbent local exchange carriers as network elements. . . ."³⁴ The Commission has determined that dedicated interoffice facilities, as well as DACS facilities, must be offered on an unbundled basis.³⁵ The Commission explained that access to such elements "will increase the speed with which competitors enter the market," and that, while non-RBOC alternatives may exist, "entry will be facilitated if competitors have greater, not fewer, options for processing interoffice facilities as part of their local networks," including "interoffice facilities . . . between any of its switching offices and a new entrant's switching office."³⁶ Access to DACS facilities, the Commission found, "could facilitate competitors' deployment of high-speed interoffice facilities between their own networks and LECs' switching offices."³⁷ These findings make clear that the efficient routing of competitors' traffic is a key element in the promotion of local competition. Given that the Section 271 and 272 restrictions were intended to carry forward the MFJ interLATA restriction into the

33 Implementation for Local Competition Provisions of the Telecommunications Act of 1996, First Report and Order, CC Dkt. No. 96-98, 11 FCC Rcd. 15499, ¶ 1 (1996), *appeal pending, sub nom., Iowa Util. Bd. v. FCC*, No. 96-3321 (8th Cir.) ("First Order on Interconnection").

34 Joint Explanatory Statement at 148.

35 First Order on Interconnection at ¶ 440-445.

36 *Id.* at ¶¶ 441, 443.

37 *Id.* at ¶ 444.

competitive local exchange environment, and not to create additional restrictions,³⁸ the Commission's view of "interLATA services" is inconsistent with statutory intent.

Omnipoint's suggested revision to the Non-Accounting Safeguards Order is also consistent with the terms and the spirit of the statutory scheme for RBOC entry into the long-distance services market. All parties appear to agree that an RBOC must obtain Section 271 approval and abide by the Section 272(a) separate affiliate requirement and the Sections 272(b)-(e) safeguards before it may offer long-distance service "directly to the public." However, as discussed above, these same statutory provisions (as well as Section 259) contemplate the offering of "interLATA facilities" to competing carriers, while carefully limiting the restriction to the offering of "interLATA services." The Section 271 restriction and the statutory safeguards of Section 272, therefore, are inapplicable where the RBOC offers in-region interLATA telecommunications facilities to competing carriers *and* the RBOC is not itself offering interLATA telecommunications service "directly to the public."³⁹ Of course, once the RBOC offers interLATA service -- which it must do through a Section 272(a) affiliate -- the nondiscrimination safeguards of Section 272(c) and (e) apply to protect competing carriers and other competing entities.

Finally, we note this interpretation does not raise the potential for the RBOC to use its current exchange and exchange access monopoly for unfair competition in the long-distance market. Omnipoint recommends that the Commission revise its order in a limited way to permit

³⁸ Joint Explanatory Statement at 198.

³⁹ It is important to note that the MFJ Court did not have occasion to apply the "Operator Services" network distinction to the context of a competitive local exchange market. Given the Court's emphasis on network efficiency, however, and the fact that more efficient networks for competing local providers only serve to end the current RBOC local exchange and exchange access monopoly, it is hard to fathom that the Court would have suddenly drawn a constructionist interpretation in favor of the RBOC monopoly.

RBOCs to provision and terminate interLATA private line, high-capacity transport and multiplexing to competing local telecommunications carriers. This proposal would not involve RBOC local exchange or exchange access or joint marketing of such services with long-distance. As the MFJ Court noted in the context of the "Official Services" network, the reasons underlying the interLATA restriction -- discriminatory interconnection and impermissible cross-subsidization -- are not implicated here.⁴⁰ First, Sections 251, 252, and 272, and particularly the provisions for network unbundling, provide comprehensive protection against discriminatory interconnection against IXCs. The reform of access charges will only make opportunities for such discrimination even more implausible.⁴¹ In addition, and especially with respect to cross-subsidization, competitive access to RBOC interLATA facilities will only add to the viability of competitive local providers, and so the RBOC stands to gain nothing through cross-subsidization if both markets -- local and long distance -- are open to competitive entry. Moreover, Omnipoint expects that such the private line backhaul would be for relatively short distances, *i.e.*, in situations where it is more efficient for the RBOC to continue to transport the traffic, but for an in-region interLATA boundary between the competitor's base station and switch. Thus, IXC long-haul services will not be impacted in any way.

⁴⁰ United States v. Western Elec. Co., 569 F. Supp. at n. 187 (interLATA Operator Services networks do not pose significant risk of anti-competitive opportunity).


⁴¹ Notice of Proposed Rulemaking, Third Report and Order, and Notice of Inquiry, CC Dkt. Nos. 96-262, 94-1, 91-213, 96-263 (rel. Dec. 24, 1996).

Conclusion

On reconsideration, Omnipoint respectfully submits that the Commission must permit more flexible entry of RBOCs into the interLATA private line market in order to further the goals of greater local competition and more efficient networks.

Respectfully submitted,

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Date: April 17, 1997